

performance of the component relative to the determined preference. Claim 15 similarly recites similar limitations.

The Office Action of September 24, 2008 suggested that the Applicants appeared to have a meaning for the term “monitoring a feedback” that had not been included in the claims, and that therefore, the step of “monitoring a feedback generated by one of the system components” could be taught in Simpson at page 4 paragraph 49, “noted that the Unix system automatically creates and stores a target image”. The Applicants now clearly claim a method including a step of monitoring a feedback generated by a system component, said feedback indicating the performance of the component relative to the determined preference. (See Applicant’s specification [0025] – [0026].)

The creation and storage of the target image in Simpson is not related to any performance indications in Simpson. The Applicants thus assert that the creating and storage of a target image in Simpson fails to teach or suggest the Applicant’s claimed step as amended of “monitoring a feedback generated by a system component, said feedback indicating the performance of the component relative to the determined preference.” The Applicants therefore assert that Claims 1 – 5 and 15 – 16 are not anticipated by Simpson and are allowable.

Claim Rejections – 35 USC § 103

Claims 1 – 5, 9, and 15 – 16 were rejected under 35 U.S.C. 103(a) as being unpatentable over Popa (US Patent no. 6,006,231) in view of Bertram et al. (PGPUB: US 2002/0156884). This rejection is respectfully traversed, because Popa and Bertram fail to teach or suggest all the elements of the Applicants’ invention as now claimed.

The Applicants' invention as now set forth in exemplary amended Claim 1 includes the steps of "determining a preference for the shared application; monitoring by the one of the computers a feedback generated by the one of the system components, said feedback indicating the performance of the component relative to the determined preference; and configuring the one of the system components in response to the determined preference and the monitored feedback, said configuring comprising adjusting an algorithm used to implement the system component."

As the Office Action points out, Popa does not explicitly teach a method of generating a feedback by the one of the system components. Bertram teaches performance monitoring. CPU performance is monitored and displayed. There is no suggestion in Bertram that the monitoring should be fed back to the system for configuration of a component. In neither Popa nor Bertram is there presented a concept of configuring a system component in response to a determined preference and a monitored feedback, said configuring comprising adjusting an algorithm used to implement the system component, as the applicant has claimed. Both the Popa and Bertram references are silent on this issue. Therefore, they cannot be combined in any way to produce this element of the Applicant's claimed invention.

Thus Popa and Bertram, taken alone or in any combination, fail to teach or suggest the Applicants' claimed step of "configuring the one of the system components in response to the determined preference and the monitored feedback, said configuring comprising adjusting an algorithm used to implement the system component."

The Applicants respectfully assert that Claim 1 and its dependent claims 2 – 5 and 9 are now in condition for allowance. Independent Claim 15 contains limitations similar to those of Claim 1. Therefore, the Applicants respectfully assert that claims 15 and 16 are also in condition for allowance.

Claims 6 – 8 and 17 were rejected under 35 U.S.C. 103(a) as being unpatentable over Popa in view of Bertram and further in view of Boston et al. (Publication no. US 2004/0101272A1). This rejection is respectfully traversed.

Claims 6 – 8 depend on Claim 1. Claim 17 depends on Claim 15. Popa and Bertram fail to teach or suggest the limitations of Claims 1 and 15 as set forth above. Boston adds nothing further to solve the deficiencies of Popa and Bertram. Thus Popa, Bertram, and Boston, taken together or in part, fail to teach or suggest the applicant's claimed invention as set forth in claims 1 – 9 and 15 – 17. The Applicants therefore respectfully assert that claims 1 – 9 and 15 – 17 are in condition for allowance.

CONCLUSION

In view of the amendments and arguments made herein, Applicants submit that the application is in condition for allowance and request early favorable action by the Examiner.

If the Examiner believes that a telephone conversation with the Applicants' representative would expedite allowance of this application, the Examiner is cordially invited to call the undersigned at (508) 303-2003, or at the undersigned's cell, (617) 901-6786.

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